

REMARKS

Claims 1-2, 4-6 and 8 are pending in this application, of which claims 1 and 5 have been amended and claims 3 and 7 have been canceled. No new claims have been added.

Claims 1-5 stand rejected under 35 U.S.C. § 103(a) as unpatentable over **Koyanagi et al.** (previously applied) in view of U.S. Patent 6,116,150 to Nishino (hereinafter "**Nishino**").

Applicants respectfully traverse this rejection.

As noted in Applicants' previous response of February 14, 2005, **Koyanagi et al.** discloses a device and method to read bar-codes in which a ratio of a number of modules is compared to a reference module width character included in a bar-code. The number of modules is rounded up and off based upon the number of modules that includes the error component. When the error amount in the ratio exceeds a permissible value, the character in question is demodulated based on the resulting rounding up or off.

The Examiner has admitted that **Koyanagi et al.** is silent with respect to a single demodulation-pattern table corresponding to the number of modules judged, but has cited **Nishio** for teaching this feature.

Applicants respectfully disagree.

Nishio discloses a code pattern image printed/recorded on a recording medium and adapted to be picked up and read is electronically taken up and read and then processed by a decoder to restore the original data, which is then transformed into an image data of the code pattern image by an encoder and printed/recorded on another predetermined recording medium to

reproduce the code pattern image by a printer. The code pattern image printed/recorded on the recording medium is made to contain an operation control data for permitting or prohibiting the operation of the encoder and the operation control data is extracted from the code pattern image by an operation control data extracting unit so that encoding operation control section permits or prohibits the operation of the encoder according to the extracted data.

Nishio differs from the present invention in at least the following two ways:

- (1) Nishio is directed to reading a code pattern image made up of dots, not a bar code, to which the claims of the instant application are directed.
- (2) Nishio selects the modulation table to be used from a number of tables at the time of the modulating operation “according to the control data for permitting or prohibiting copying the code pattern image ...”, as disclosed in column 11, lines 6-9. This is in contrast to the present invention in which a single demodulation-pattern table is selected from a plurality of demodulation-pattern tables according to the number of modules judged”.

Accordingly, claims 1 and 5 have been amended to clarify this distinction, and the 35 U.S.C. § 103(a) rejection should be withdrawn.

Claims 4 and 8 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Koyanagi et al. and Nishino, and further in view of U.S. Patent 6,357,660 to Watanabe et al. (hereinafter “Watanabe et al.”).

Applicants respectfully traverse this rejection.

Watanabe et al. discloses a bar code reading apparatus including a reader for reading a bar code expressing a plurality of characters, and a CPU for decoding the characters according to a result of reading by the reader. A ratio between a character length C_y of an already decoded character E2 and a length C_z of a character E7 to be decoded is calculated. When this ratio is greater than a threshold value, the black bar width B_1 and black bar width B_2 are corrected according to a reference black bar width X. The CPU decodes the character E7 to be decoded according to the corrected black bar width B_1 and black bar width B_3 .

Watanabe et al., like the other cited references, fails to teach, mention or suggest the limitations of claims 1 and 5, from which claims 4 and 8 respectively depend.

Thus, the 35 U.S.C. § 103(a) rejection should be withdrawn.

Claims 2 and 6 have been allowed.

In view of the aforementioned amendments and accompanying remarks, claims 1-2, 4-6 and 8, as amended, are in condition for allowance, which action, at an early date, is requested.

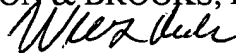
If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

U.S. Patent Application Serial No. **10/707,695**
Response to Office Action dated April 4, 2005

In the event that this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

ARMSTRONG, KRATZ, QUINTOS,
HANSON & BROOKS, LLP



William L. Brooks
Attorney for Applicant
Reg. No. 34,129

WLB/ak
Atty. Docket No. **031336**
Suite 1000
1725 K Street, N.W.
Washington, D.C. 20006
(202) 659-2930



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